

REMARKS

It is respectfully submitted that no new issues requiring further detailed consideration or search have been presented by the proposed amendments and that entry of the claim amendments is appropriate under 37 C.F.R. § 1.116. Entry of the amendment at least for purposes of appeal is respectfully requested in view of the fact that it presents rejected claims in better form for consideration on appeal.

1. Acknowledgment of disclosed prior art references

Applicants respectfully request consideration of the prior art references submitted on November 19, 2001 and June 29, 2004 via returned PTO forms 1449. It will be noted that a true copy of the Information Disclosure Statement of November 19, 2001 was directly forwarded to the examiner on June 30, 2004 since it was believed that the Office lost this paper.

Consideration of the prior art references submitted with the Information Disclosure Statements is respectfully requested in the next Office communication.

2. In the claims

In the amendment of the claims, 6-14, 17, 21, 23, 29 and 39-41 are presently canceled without prejudice or disclaimer. Claims 9, 14, 16, 17, 19, 21, and 22 are currently amended to remove their dependency from claims 6 or 10. Since these claims were considered allowable, no further searching of these claims is considered necessary.

New claims 42-44 are independent claims corresponding to claims 16, 19 and 22 and include the subject matter of claim 6. The subject matter of claims 16, 19 and 22 was considered as being allowable in the office action, and it was acknowledged in the action that these claims would be allowable if amended to include all of the

limitations from which they depend. In view of these observations, it is submitted that these claims are allowable and that no further searching is required.

New claims 45-47 are independent claims corresponding to claims 16, 19 and 22 and including the subject matter of claim 10. The subject matter of claims 16, 19 and 22 was considered as being allowable in the office action, and it was acknowledged in the action that these claims would be allowable if amended to include all of the limitations from which they depend. In view of these observations, it is submitted that these new claims are allowable and that no further searching is required.

3. Rejection of claims 11 and 19 under 35 U.S.C. § 112, second paragraph

Claim 11 is canceled which renders the rejection of this claim moot. Claim 19 is amended to provide proper antecedent basis for the "visible spectral region."

Accordingly, withdrawal of this rejection is respectfully requested.

4. Rejection of claims 6-14, 17, 21, 23 and 29 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,318,758 (Stenzel)

As noted above, claims 6-14, 17, 21, 23 and 29 are canceled without prejudice or disclaimer. Accordingly this rejection of the claims is considered moot.

5. Conclusion

In view of the amendment of the claims and the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is kindly requested that the pending claims be allowed and the application be passed to issue.

If any issues remain that may be resolved by a telephone or facsimile communication with the applicants' attorney, the examiner is invited to contact the

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undersigned at the numbers shown below.

BACON & THOMAS, PLLC
625 Slaters Lane, Fourth Floor
Alexandria, Virginia 22314-1176
Phone: (703) 683-0500

Date: April 5, 2005

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Justin J. Cassell", written in a cursive style.

JUSTIN J. CASSELL
Attorney for Applicants
Registration No. 46,205